

Residential Parking & The Law

State and Local Law

Both the State of Texas and the City of Garland have provisions that address parking in residential areas. State laws are presented in the Transportation Code Section 545.302, 545.303, 545.304, and 545.305. The City addresses the issue in its Code of Ordinances in Chapters 32 Property Sanitation and Housing Services 32.56 (B), 33 Transportation, Article IV.

State Law addresses many issues relating to the parking of motor vehicles. The key points for our purposes are covered below.

- **An operator** may not, except momentarily to pick up or discharge a passenger, stand or park and occupied or unoccupied vehicle:
 - On a sidewalk (or blocking sidewalk in a driveway).
 - In an intersection.
 - On a crosswalk.
 - In front of a public or private driveway.
 - Within 15 feet of a fire hydrant.
 - Within 20 feet of a crosswalk at an intersection.
 - Within 30 feet of a Stop Sign.
- **An operator** who stops or parks on a two-way roadway shall do so with the right-hand wheels of the vehicle parallel to and within 18 inches of the right-hand curb or edge of the roadway (in the direction of traffic flow).

Local Ordinances

- **No person** shall park a vehicle upon any roadway or sidewalk for the principal purpose of:
 - Displaying such vehicle for sale.
 - Washing, greasing or repairing such a vehicle, except repairs necessitated by an emergency.
- **No commercial vehicle** shall be parked and left overnight upon any public street or on any public property in the city.
- **A vehicle** is unlawfully parked if the vehicle is parked in a manner such that any portion of the vehicle extends more than 102 inches from the face of the immediately adjacent curb, if the street has a curb, or edge of pavement, if the street does not have a curb.
- **Parking on unimproved surfaces prohibited.** A person commits an offense if, within a residential zoning district or upon property which constitutes a residential use the person causes, suffers, permits, or allows the parking of any motor vehicle or trailer on runners or on any surface other than a driveway.
- **A person** commits an offense if the person parks or stands or allows the parking or standing of an oversized vehicle at any place within a residential zone.

- It shall be an affirmative defense to prosecution under this section that the oversized vehicle is, at the time of the offense:
- Then being used in the loading or delivery of passengers or goods within a residential zone and only for such period of time as is actually necessary to accomplish such loading or delivery; or
- Being used in the repair or construction of a public utility or for construction activities.
- **A person** commits an offense if the person parks or stands or allows the parking or standing of a recreational vehicle on public property within a residential zone.
- **A person** commits an offense if the person parks or stands or allows the parking or standing of a catering truck, mobile food unit, or utility trailer that contains equipment or materials used in the person's occupation at any place within a residential zone.
 - It is an affirmative defense to prosecution under subsection (E) if at the time of the offense:
 - The vehicle is a lawfully operated and permitted vehicle selling food at a construction site within a residential zone; or
 - The vehicle is associated with a service person performing work at a residence, other than the service person's residence.
- **A person** commits an offense if the person causes, suffers, allows or permits the keeping of a violating vehicle (junked vehicle, ATV, boat, trailer, or motor cycle) on a premises owned or controlled by that person.
- Unless otherwise permitted by applicable law, regulation, permit, or zoning regulations, **a person** commits an offense if the person causes, suffers, allows or permits the parking or standing of a motor vehicle or a trailer in a residential or nonresidential zone on private property, within public view, owned or controlled by that person if the vehicle:
 - Has one or more flat tires;
 - Is missing one or more wheels; or
 - Is supported by one or more jacks, jack stands, blocks or similar means.